

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 12, 2022

SEAN F. McAVOY, CLERK

U.S.A. vs. Hewlett, Raymond Keith Docket No. 0980 2:22CR00040-TOR-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Raymond Keith Hewlett, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the Court at Spokane, Washington, on the 11th day of May 2022 and again on the 8th day of June 2022, under the following conditions:

Standard Condition #1: Defendant shall not commit any offense in violation of federal, state, or local (including triable) law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement. Defendant shall not work for the United States government or any federal or state law enforcement agency, unless Defendant first notifies the supervising Pretrial Services Officer in the captioned matter.

Standard Condition #7: Defendant shall report to the United States Probation Office before or immediately after release and shall report as often as they direct, at such times and in such manner as they direct.

Standard Condition #10: Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances in violation of 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 11, 2022, the Court ordered Mr. Hewlett to be released from custody to participate in inpatient substance abuse treatment (ECF No. 37). Mr. Hewlett was ordered to return to custody upon completion of inpatient substance abuse treatment, absent further order of the Court. On June 8, 2022, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Hewlett related to the aforementioned release order. Mr. Hewlett acknowledged an understanding of the release conditions at that time.

On June 16, 2022, Mr. Hewlett appeared before the Court for a detention review hearing. The Court ordered Mr. Hewlett to remain released from custody upon successful completion of inpatient substance abuse treatment (ECF No. 43). On June 23, 2022, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Hewlett related to his most recent release order. Mr. Hewlett acknowledged an understanding of the release conditions at that time.

Violation #1: Raymond Keith Hewlett is alleged to have violated his conditions of pretrial release supervision by failing to report law enforcement contact that occurred on August 25, 2022, within 1 business day.

The following information was gathered from Idaho County (Idaho) Sheriff's Office (ISO) incident report number 2208398.

On August 25, 2022, at approximately 7:03 p.m., a deputy with the ISO was advised of a traffic complaint involving a possible driving under the influence (DUI). The vehicle was described as a Chevrolet HHR, driving at an excessive speed, failing to maintain a lane, and cutting off cars.

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The deputy was able to locate a vehicle traveling at 69 miles per hour (MPH), in a 65 MPH zone, that matched the traffic complaint description. The deputy then observed the vehicle activate its turn signal for 2 seconds before turning, when it is required to be activated for 5 seconds.

Subsequently, a traffic stop was initiated, in which Mr. Hewlett was identified as the driver. After running his name through dispatch, the deputy learned of Mr. Hewlett's status under pretrial release supervision. He confirmed with the deputy that he was on pretrial supervision for a drug charge. Mr. Hewlett's wife, Stacia Hewlett was also in the vehicle.

Upon the deputy asking, both Mr. Hewlett and his wife consented to the vehicle being searched by law enforcement. The search revealed a purse, identified to be Stacia Hewlett's, that contained a white capped bottle with no label. The bottle contained multiple pills inside. There were also two Ziplock style bags, commonly used for holding narcotics, with a white powdery residue. As the search continued, another white pill on the driver's side floor board.

Using a pill identifier, it was determined that some of the pills located were schedule two controlled substances. There was no prescription for the pills and they were not in the original container. The white powdery residue was also tested for methamphetamine, cocaine, Fentanyl, and heroin, which tested negative for these substances.

Mr. Hewlett also participated in a field sobriety test, which did not detect any impairment. Mr. Hewlett was released from the scene and his wife was arrested for possession of a controlled substances.

Mr. Hewlett failed to report the above-noted law enforcement contact until August 29, 2022, when the undersigned officer inquired about the contact.

Violation #2: Raymond Keith Hewlett is alleged to have violated his conditions of pretrial release supervision by failing to report to the U.S. Probation Office as directed on August 25, 2022.

On August 24, 2022, the undersigned officer contacted Mr. Hewlett to address him failing to report for random urinalysis testing on August 19, 2022 (which was previously reported to the Court). Mr. Hewlett was instructed to report to the U.S. Probation Office on August 25, 2022, at 11:30 a.m.

On August 25, 2022, at 11:30 a.m., Mr. Hewlett failed to report as instructed. At approximately 1:25 p.m., on August 25, 2022, the undersigned officer sent Mr. Hewlett a text message instructing him to report to the probation office. Mr. Hewlett sent a text message to the undersigned officer stating he was in the middle of work, but should be done soon. When inquiring about when he would be done with work, Mr. Hewlett responded at 5:41 p.m. on August, 25, 2022, stating he was in the State of Idaho for work purposes.

It should be noted that Mr. Hewlett reported to the U.S. Probation Office on August 29, 2022. He provided a urine sample that tested negative for the presence of controlled substances.

Violation #3: Raymond Keith Hewlett is alleged to have violated his conditions of pretrial release supervision by testing positive for the presence of methamphetamine on September 16, 2022.

On September 16, 2022, Mr. Hewlett reported to Pioneer Human Services and provided a urine specimen that tested presumptive positive for the presence of methamphetamine. Mr. Hewlett denied using methamphetamine at that time. Subsequently, the urine sample was sent to Alere Toxicology Services, Inc. (Alere) for further analysis.

On September 27, 2022, Alere confirmed the aforementioned urine specimen tested positive for the presence of methamphetamine.

On October 4, 2022, the undersigned officer confronted Mr. Hewlett on the above-noted positive drug test. Mr. Hewlett continued to deny knowingly ingesting methamphetamine.

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In response to Mr. Hewlett testing positive for the presence of methamphetamine, the undersigned officer has increased his drug testing expectations.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: October 7, 2022

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
☐ Defendant to appear before the Judge assigned to the case.
☐ Defendant to appear before the Magistrate Judge.
☐ Other



Signature of Judicial Officer

10/12/22

Date